SINGLE BENCH

CF 107

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

W.P. (C) NO. 1294 /2007

PETITIONER : Leeladhar Agrawal
S/o Hariram Agrawal, aged about 55 years, R/o Near Jain Mandir, Naila, Distt. Janjgir-Champa (C.G.)

P.R. No. 15/2/07
Presented by Sofia Khan
dated 21/2/07

VERSUS

RESPONDENT: State of Chhattisgarh
Through Mining inspector
Raigarh (C.G.)

RECEIVED-COPY
20/2/07
for A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 227 OF CONSTITUTION OF INDIA

(30)

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 1294 of 2007

Petitioner : Leeladhar Agrawal

Versus

Respondent : State of Chhattisgarh

SB: Hon'ble Shri Satish K. Agnihotri, J.

Present: Ms. Sofia Khan, counsel for the petitioner.
Ms. Sunita Jain, Panel lawyer for the respondent No. 1.

ORDER

(Passed on this 8th day of March, 2007)

1. By this petition, filed under Article 227 of the Constitution of India, the petitioner challenges the validity of the impugned order dated 14.12.2006 (P/1), passed by the Board of Revenue, Bilaspur in Appeal No. 67/A-67/2004-05, whereunder the appeal filed by the petitioner was rejected on the ground of limitation as the appeal was barred for more than 5 years delay.

2. I have gone through the application filed by the petitioner before the Board of Revenue. The reasons given in the application was that the petitioner's sister died and his real brother sustained serious injury and he is also suffering from high blood pressure and cardiac problem. He has not given detail of the death of her sister and how he was restrained from filing the appeal. The application was very casual and not in accordance with the requirement of Section 5 of the Limitation Act, 1963, dealing with each and every date of the application. I have not found any infirmity, perversity or jurisdictional error in the order impugned herein.

3. This Court in exercise of its supervisory jurisdiction under Article 227 of the Constitution of India cannot act as an Appellate Court.

4. Thus, this petition is dismissed summarily.

5. Consequently, M.(W.)P. No. 833/2007, stands disposed of.

Sd/-
Satish K.Agnihotri
Judge

B/-